

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
James E. GALEN
Appln. No.: **10/750,965**
Filed: **January 5, 2004**
For: **PLASMID MAINTENANCE SYSTEM FOR ANTIGEN DELIVERY**

Docket No: **A8702**
Confirmation No.: **2207**
Group Art Unit: **1645**
Examiner: **Unknown**

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of each of the listed documents (except U.S. patents and/or publications), along with a copy of the corresponding Communication from a Foreign Patent Office dated October 1, 2004, is submitted herewith.

The present Supplemental Information Disclosure Statement is being filed after three months from the application's filing date, but before the mailing date of the first Office Action on the merits. Therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 18, 2004

Substitute for Form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			<i>Complete if Known</i>	
			Application Number	10/750,965
			Confirmation Number	2207
			Filing Date	January 5, 2004
			First Named Inventor	James E. GALEN
			Art Unit	1645
			Examiner Name	Unknown
			Attorney Docket Number	A-8702
Sheet	1	of		

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 4,760,022		07/26/1988	Molin et al

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Kim et al, <i>J. of Fermentation and BioEng.</i> , 82(5):495-497 (1996)	
		Su et al, <i>Inf. and Immun.</i> , 60(8):3345-3359 (1992)	
		Gordon et al, <i>Infect. and Immun.</i> , 60(2):485-490 (1992)	
		Galen et al, <i>Infect. and Immun.</i> , 67(12):6424-6433 (1999)	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.